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CITY OF OAKLAND



ONE FRANK OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney
John Russo
City Attorney

(510) 238-3601
FAX: (510) 238-6500
TDD: (510) 839-6451

January 20, 2009

HONORABLE CITY COUNCIL
Oakland, California

**Subject: Michael Bruster and Lucretia Haggery v. City of Oakland; et al.
Alameda County Superior Court No. RG08-376881
City Attorney File No. 25837 (Department of Human Services – Auto
Accident)**

President De La Fuente and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled action for the sum of Thirty Five Thousand Dollars and No Cents (\$35,000.00) payable to Plaintiffs Michael Bruster and Lucretia Haggerty and Michael I. Dorshkind, Esq., their attorney.

This action arises out of an automobile accident at the intersection of San Leandro Street and 69th Avenue on March 5, 2007. The settlement is recommended to avoid the risk of an adverse trial result and potentially greater economic exposure for the City. This matter was heard in closed session on January 6, 2009.

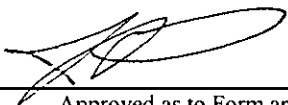
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John Russo', written in a cursive, flowing style.

JOHN A. RUSSO
City Attorney

Attorney Assigned:
JENNIFER N. LOGUE

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2009 JAN -8 PM 3: 52


Approved as to Form and Legality

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

JNL

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF MICHAEL BRUSTER AND LUCRETIA HAGGERTY v. CITY OF OAKLAND; ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG08-376881, IN THE AMOUNT OF \$35,000.00 AS A RESULT OF AN AUTOMOBILE ACCIDENT AT THE INTERSECTION OF SAN LEANDRO STREET AND 69TH AVENUE. (DEPARTMENT OF HUMAN SERVICES)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Michael Bruster and Lucretia Haggerty v. City of Oakland; et al., City Attorney's File No. 25837, for the sum of Thirty Five Thousand Dollars and No Cents (\$35,000.00); and be it

FURTHER RESOLVED: That the City Attorney is further authorized and directed to take whatever steps as may be necessary to effect said settlement; and be it

FURTHER RESOLVED: That the sum of Thirty Five Thousand Dollars and No Cents (\$35,000.00) be payable to Plaintiffs Michael Bruster and Lucretia Haggerty and Michael I. Dorshkind, Esq., their attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20__

PASSED BY THE FOLLOWING VOTE:

- AYES- BRUNNER, KERNIHGAN, NADEL, REID, QUAN, BROOKS, CHANG and PRESIDENT DE LA FUENTE
- NOES-
- ABSENT-
- ABSTENTION-

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California